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ATTORNEY DOCKET NO.	CONFIRMATION NO.

FILING DATE FIRST NAMED INVENTOR APPLICATION NO. TI-35775 3787 10/643,341 08/19/2003 Manoj Mehrotra **EXAMINER** 02/07/2005 23494 7590 TEXAS INSTRUMENTS INCORPORATED NGUYEN, HA T P O BOX 655474, M/S 3999 PAPER NUMBER **ART UNIT** DALLAS, TX 75265 2812

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

			H-H		
	Application No.	Applicant(s)			
	10/643,341	MEHROTRA, MANOJ			
Office Action Summary	Examiner	Art Unit			
	Ha T. Nguyen	2812			
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet	with the correspondence addres	SS **		
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is tess than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of the period for reply within the set or extended period for reply will, by statute any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a y within the statutory minimum of the will apply and will expire SIX (6) MO e, cause the application to become a	a reply be timely filed nirty (30) days will be considered timely. DNTHS from the mailing date of this commo ABANDONED (35 U.S.C. § 133).	unication.		
Status					
1) Responsive to communication(s) filed on					
2a) ☐ This action is FINAL . 2b) ☐ This	s action is non-final.				
3) Since this application is in condition for allowa	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.	.D. 11, 453 O.G. 213.			
Disposition of Claims					
4) Claim(s) 1-20 is/are pending in the application					
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) <u>1-20</u> are subject to restriction and/or	election requirement.				
Application Papers					
9) The specification is objected to by the Examiner.					
10)☐ The drawing(s) filed on is/are: a)☐ acc	epted or b) objected to	o by the Examiner.			
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Ex	xaminer. Note the attach	ed Office Action or form PTO-	152.		
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage 					
application from the International Burea	u (PCT Rule 17.2(a)).				
* See the attached detailed Office action for a list	of the certified copies no	ot received.			
	•				
Attachment(s)	., □	0 (070 140)			
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	• —	v Summary (PTO-413) o(s)/Mail Date			
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice o	f Informal Patent Application (PTO-15)	2)		
Paper No(s)/Mail Date	6)	·			

Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-17, drawn to a process of making semiconductor devices, classified in class 438, subclass 682.
 - II. Claims 18-20, drawn to a device, classified in class 257, subclass 768.
- 2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be made by a materially different process such as simultaneously depositing a metal layer on a top portion of each of the first and second gate stacks; forming a mask on the second gate stack leaving the first gate stack exposed; forming a silicon layer on the first metal layer on the first gate stack; forming a second metal layer on the silicon layer; annealing the transistors.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classifications, and separate examination would be required, restriction for examination purpose as indicated is proper.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Application/Control Number: 10/643,341

Art Unit: 2812

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha T. Nguyen whose telephone number is (571) 272-1678. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM, except the first Friday of each bi-week. The telephone number for Wednesday is (703) 560-0528.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael S. Lebentritt, can be reached on (571) 272-1873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ha Nguyen

Primary Examiner

2-3-05